

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CRATON LIDDELL, et al.)
Plaintiffs,)
v.) Case No. 4:72-CV-100 HEA
BOARD OF EDUCATION OF THE)
CITY OF ST. LOUIS, MISSOURI, et al.)
Defendants.)

JOINT MEMORANDUM FOR FINAL DISPOSITION OF MOTIONS

COME NOW the Liddell and Caldwell-NAACP Plaintiff Classes and the SAB (“Joint Movants”), and in response to the Court’s request at the September 26, 2018 status conference, hereby propose the following schedule for resolving all pending motions and the final disposition of these proceedings:

- Concerning the State’s Motion to Strike [dkt # 431], because this motion has been fully briefed (see SAB’s opposition [dkt # 391], the Caldwell/NAACP and Liddell Plaintiffs’ opposition [dkt # 390], the State’s reply [dkt #393], the Private Plaintiffs’ sur-reply [dkt #396], and U.S. Department of Justice response [dkt #431]), the State’s Motion to Strike is ripe for disposition and should be decided when the Court decides all pending motions.
- Concerning the Motion to Intervene [dkt #398], the Joint Movants submit that the Rule 24 issues have been fully briefed and are ready for the Court’s disposition. Joint Movants have no objection to the Court exercising its discretion to allow permissive intervention, with Joint Movants reserving all of their objections to intervention as of right. By allowing permissive intervention, the Court can allow Putative Intervenors’ opposition to the Joint Motion to Enforce to be filed and reserve its ruling on intervention as of right and decide the issue at the same time the Court decides the other pending motions.
- Concerning the Joint Motion to Enforce and Hold the State in Contempt [dkt #381], if the Court proceeds as suggested with regard to the Motion to Intervene, Joint Movants request that the Court grant them three (3) weeks from the date of such ruling to file their Reply to the same and in further support of their Joint Motion to Enforce. Upon such filing, the Joint Motion to Enforce will be fully briefed as well and may be resolved (along with any determination of damages and prejudgment interest, if necessary) contemporaneously with the State’s Motion to Strike and the issue of intervention as of right as referenced in bullet points 1 and 2 above.

Dated: October 3, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and accurate copy of the foregoing document was filed electronically with the Clerk of Court and served by operation of the Court's electronic filing system this 3rd day of October, 2018, upon all counsel of record.

/s/ Ronald A. Norwood